

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

JONATHAN HENDRIX, et al.

PLAINTIFFS

v.

3:07CV00151WRW/HLJ

DICK BUSBY, et al.

DEFENDANTS

MEMORANDUM AND ORDER

Plaintiffs Jonathan and Aaron Hendrix and Adrian Jacobs originally filed this action against defendants. Upon initial review, this Court determined that the claims asserted by plaintiff Adrian Jacobs were significantly different from those of the two other plaintiffs. By Order dated October 25, 2007 (DE #3), this Court noted the dissimilarity of the claims and stated that if plaintiff Jacobs wished to pursue his claim against defendants, he should submit an in forma pauperis application, together with a separate civil rights complaint. The Court also cited Local Rule 5.5(c)(2) of the Rules of the United States District Courts for the Eastern and Western Districts of Arkansas, which provides as follows:

It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case and to prosecute or defend the action diligently If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. . . .

The Order mailed to plaintiff Jacobs at his last-known address was returned to Sender, on November 7, 2007 (DE #5). Since that time, plaintiff Jacobs has not submitted a separate in forma pauperis application or civil rights complaint, or otherwise communicated with the Court. Therefore, the Court will dismiss plaintiff Adrian Jacobs from this complaint, without prejudice. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff Adrian Jacobs is hereby DISMISSED from this complaint.

IT IS SO ORDERED this 6th day of December, 2007.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE